

COLORADO STATE BOARD OF PHARMACY
April 30, 2009

Minutes

An emergency telephone meeting of the Colorado State Board of Pharmacy was convened by President Paul Limberis, R.Ph. at approximately 11:00 a.m. on Thursday, April 30, 2009.

Board members present were: Jeannine G. Dickerhofe, R.Ph.; Rich Doyle, R.Ph.; Katherine Edelblut, R.Ph.; Leonard Hierath, P.E.; Paul Limberis, R.Ph.; and Averil Strand, R.N.

Staff members attending were Wendy Anderson, Program Director and Chief Inspector Chris Gassen. Also present was Joanna Kaye, Assistant Attorney General, to advise the Board.

The Board considered the distribution of antiviral medications from the National Strategic Stockpile in response to the Swine Flu Pandemic. After due consideration, the Board voted that the distribution of these medications did not constitute wholesale distribution and therefore, no wholesale registration was needed for such distribution. The Board noted that "Wholesale Distribution" does not include the distribution of a prescription drug for emergency medical reasons or during a state or national declaration of emergency.

The Board then voted to waive the requirements of regulations 1.00.24, 7.00.30(c), and 14.00.80 (h) for prescription drug outlets and other outlets to receive the antiviral medications from the Strategic National Stockpile without the drugs coming from a registered wholesaler.

In considering case number 2009-3611, Kim M. Hulko R.Ph. # 13111, the Board voted to refer this matter to Executive Session.

EXECUTIVE SESSION

Board President Paul Limberis moved that the Board enter into executive session as authorized by CRS 24-6-402 subsection (3)(a) roman (III) to discuss matters which are required by law to be kept confidential. Specifically, the provisions of law requiring these matters to be kept confidential are:

CRS 24-6-402 subsection (3)(a) romans (II) and (III), and section 13-90-107(b), which protect as confidential communications with counsel that are matters of pending or imminent litigation, or are otherwise subject to the attorney-client privilege, and CRS 25-1-1201 et sequitor, which protects the confidentiality of information pertaining to individual medical records.

The motion was unanimous.

OPEN SESSION

After due consideration, the Board found that the public health, safety, or welfare imperatively required emergency action and summarily suspended Kim M. Hulko's pharmacist license.

ADJOURNMENT

The Board adjourned at approximately 11:24 a.m.

Approved by Paul Limberis, R.Ph., President Date: May 14, 2009